

RESOLUTION NO. R-2009-1362

**A RESOLUTION APPROVING THE FORM OF THE JULY 20, 2009 DRAFT OF
THE DEED OF CONSERVATION EASEMENT FOR PINE VALLEY
PROPERTY GRANTED FROM DeMAR LC TO THE VIRGIN RIVER LAND
PRESERVATION ASSOCIATION AND WASHINGTON COUNTY**

WHEREAS, the Washington County Commission ("Commission") has previously adopted Resolution No. R-2008-1231, whereby the Commission approved and supported the Virgin River Land Preservation Association's ("VRLPA") application to the McAllister Critical Land Conservation Fund for the purpose of a conservation easement as part of the Pine Valley Preservation Project and in doing so agrees to jointly hold the conservation easement with the VRLPA; and

WHEREAS, substantial funding for the purchase of the Conservation Easement has been provided by the United States of America acting by and through the United States Department of Agriculture, Natural Resources Conservation Service ("NRCS"), on behalf of the Commodity Credit Corporation, for the implementation of the Farm and Ranch Lands Protection Program; and

WHEREAS, the Commission has reviewed the July 30, 2009 draft of the Deed of Conservation Easement ("Conservation Easement"), a copy of which is attached hereto as Exhibit "A", whereby a Deed of Conservation Easement will be granted by DeMar LC, a Utah Limited Liability Company, to the VRLPA, as Primary Grantee, and Washington County as Back-up Grantee; and

WHEREAS, it is in the best interest of the County that the County be a back-up grantee in the Conservation Easement pursuant to the terms set forth therein.

NOW, THEREFORE, at a regular meeting of the legislative body of Washington County, Utah, duly called, noticed, and held on the 4th day of August 2009, upon motion duly made and seconded, it is unanimously:

RESOLVED that the Washington County Commission approves the form of the Conservation Easement, a copy of which is attached hereto as Exhibit "A", so that it may be sent to the NRCS for review and approval. A copy of the Conservation Easement is on file in the Office of the Washington County Commission.

VOTED UPON AND PASSED BY THE WASHINGTON COUNTY COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY COMMISSION HELD ON THE 4TH DAY OF AUGUST 2009.

WASHINGTON COUNTY

JAMES J. EARDLEY
Washington County Commission

ATTEST:

Kim M. Hafen
Washington County Clerk-Auditor

Commissioner Eardley voted ____
Commissioner Gardner voted ____
Commissioner Drake voted ____